

BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

Meeting Date: April 20, 2005

Division: County Attorney

Bulk Item: Yes XX No

Staff Contact Person: Pedro Mercado

AGENDA ITEM WORDING: Approval of Settlement Agreements in Code Enforcement lien in Monroe County V. Iuminada Galvan.

ITEM BACKGROUND: Homeowner constructed a roof-over on their trailer home without benefit of a permit under the mistaken belief that one would not be required. Notice of violation was issued. Homeowner then hired an architect, E. Griffin Moore, to produce drawings and assist the homeowner with coming into compliance. Mr. Moore absconded with the homeowner's money without having done any of the work needed to bring the property into compliance. After numerous attempts to locate Mr. Moore and recover their money, the homeowner decided to cut their losses and remove the un-permitted roof-over. At the time the property was brought into compliance, the fines totaled \$18,800. It was later learned that other homeowners were victimized by Mr. Moore as well. After consultation with Code Enforcement Director Ronda Norman it was determined that given the facts of this case it would be appropriate to settle this case for \$900.00.

PREVIOUS RELEVANT BOCC ACTION:

None

CONTRACT/AGREEMENT CHANGES:

N/A

STAFF RECOMMENDATIONS:

Accept the settlement offer.

TOTAL COST: N/A

BUDGETED: Yes _____ No _____

COST TO COUNTY: N/A

SOURCE OF FUNDS: N/A

REVENUE PRODUCING: Yes XX No

AMOUNT PER MONTH _____ **Year**

APPROVED BY: County Atty XX OMB/Purchasing Risk Management

DIVISION DIRECTOR APPROVAL:

JOHN R. COLLINS, COUNTY ATTORNEY

DOCUMENTATION: Included _____

Not Required XX

DISPOSITION:_____

AGENDA ITEM #

**BEFORE THE CODE ENFORCEMENT SPECIAL MASTER
OF MONROE COUNTY, FLORIDA
The Honorable J. Jefferson Overby, Presiding**

MONROE COUNTY, FLORIDA

Petitioner,

vs.

CASE NO.: CE03050209

**ILUMINADA GALVAN,
Respondent**

_____ /

SETTLEMENT AGREEMENT

The Petitioner, Board of County Commissioners of Monroe County and Iluminada Galvan, Respondent, hereby agree to settle the code enforcement lien imposed in the above-referenced case by the Special Master against property owned by the Respondent as follows:

1. The parties agree to settle the code enforcement lien for \$900.00.
2. The property in question has a legal description of 640 SUNSHINE STREET, STOCK ISLAND, KEY WEST, MONROE COUNTY, FLORIDA (RE#:00126490-000000).
3. Upon approval of this agreement by the Board of County Commissioners, the Respondent shall remit a check in the amount of \$900.00 made payable to the Board of County Commissioners.
4. Once the aforementioned check has cleared, the County will issue to the Respondent a release and satisfaction of said lien for filing by the Respondent in the Official Records of Monroe County.
5. The County will file a copy of the release and satisfaction in the official Code Enforcement file.
6. By entering into this agreement, the each party agrees to waive any and all claims that it could have raised and/or potential claims that it

might have been able to raise as a result of the above-captioned code enforcement case.

7. Both parties warrant that they have had an opportunity to consult with counsel before entering into this agreement.
8. Each party agrees to bear its own costs and attorney's fees other than as specified in this agreement.

ATTEST:

DANNY L. KOLHAGE
CLERK:

BOARD OF COUNTY COMISSIONERS
OF MONROE COUNTY

By: _____
Deputy Clerk

By: _____
Dixie Spehar, Mayor

Dated _____

Illuminada Galvan, Respondent

Notary Public

By: _____
(date)

This document was approved as to form by:

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